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Docket No. 31-CD-5530

Applicant: G. Ian Rowlandson

: Group Art Unit: 3626

Serial No.: 09/751,023

: Examiner: Gottschalk, M.A.

Filed: December 29, 2000

: Date: March 1, 2007

Title: AUTOMATED SCHEDULING OF EMERGENCY
PROCEDURE BASED ON IDENTIFICATION
OF HIGH-RISK PATIENT

Hon. Commissioner for Patents
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Sir:

Transmitted herewith for filing in the above-identified application is an Amendment After Final Rejection, a Declaration of Inventor Pursuant to 37 CFR § 1.132 and a Petition Requesting Two-Month Extension of Time.

FEE FOR ADDITIONAL CLAIMS

X A fee for additional claims is not required.

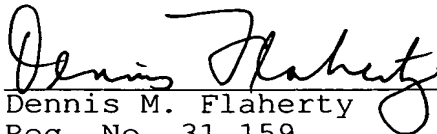
 A fee for additional claims is required. The additional fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		NUMBER OF EXTRA CLAIMS		RATE		ADDITIONAL FEE
TOTAL CLAIMS:	23	-	27	=	0		x \$50 =		0
INDEPENDENT CLAIMS:	2	-	3	=	0		x \$200 =		0
TOTAL FEE DUE:									0

X The Commissioner is authorized to charge payment of any extension or other fee under 37 CFR 1.16 or 1.17 which may be required by this paper or credit any overpayment of same to Deposit Account No. 50-2401.

Respectfully submitted,

Attorney for Applicant


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Atty Docket No.: 31-CD-5530

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

G. Ian Rowlandson : Group Art Unit: 3626
Serial No.: 09/751,023 : Examiner: Gottschalk, M. A.
Filed: December 29, 2000
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PROCEDURE BASED ON IDENTIFICATION
OF HIGH-RISK PATIENT

Hon. Commissioner for Patents
Alexandria, VA 22313-1450

AMENDMENT AFTER FINAL REJECTION

Sir:

This is in response to the Final Rejection mailed on October 5, 2006 in the above-referenced patent application.

REQUEST THAT FINALITY OF REJECTION BE WITHDRAWN

The Applicant requests that the finality of the rejection be withdrawn. The Final Rejection is premature because it includes new grounds for rejection. The Manual of Patent Examining Procedure, § 706.07(a), states:

Under present practice, second or any subsequent actions on the merits shall be final, except where the examiner introduces a new ground of rejection that is neither necessitated by applicant's amendment of the claims nor based on information submitted in an information disclosure statement filed during the period set forth in 37 CFR 1.97(c) with the fee set forth in 37 CFR 1.17(p).

(Emphasis added.)

In the Final Rejection mailed on March 8, 2006, claims 1, 4, 5, 7, 11, 16, 19-21, 23 and 24 were rejected

under 35 U.S.C. § 102(e) as being anticipated by Bayne (US 2005/0060198), and claims 2, 3, 6, 8-10, 17, 18, 22, and 25-27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bayne in view of Admitted Prior Art. In response to that Final Rejection, Applicant neither amended the claims nor cited prior art in an information disclosure statement.

In the latest Final Rejection, claims 1, 4, 5, 7, 11, 16, 19-21, and 24 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Fujimoto in view of Coolidge *et al.*, and further in view of Bayne, and claims 2, 3, 6, 8-10, 17, 18, 22, and 25-27 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Fujimoto in view of Coolidge and Bayne as applied to claim 1, and further in view of Admitted Prior Art. Neither of these grounds of rejection appeared in any previous office action and thus are new grounds of rejection.

Accordingly, Applicant respectfully requests that the finality of the latest rejection be withdrawn and that the claim amendments set forth hereinafter (starting on page 3) be entered.